

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

RUSSELL H. FISH, III and ROBERT §  
ANDERSON, as Trustee of the Fish Family Trust, §  
§  
*Plaintiffs*, §  
§  
v. § Civil Action No. 3:06-CV-0815-K  
§ consolidated with  
§ Civil Action No. 3:06-CV-1203-K  
PATRIOT SCIENTIFIC CORPORATION, a §  
Delaware corporation, § ECF  
§  
*Defendant*. §

**STIPULATION OF DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiffs Russell H. Fish, III and Robert Anderson, as trustee of the Fish Family Trust, and Defendant Patriot Scientific Corporation jointly stipulate that any and all claims and counterclaims that were or could have been asserted in Civil Action No. 3:06-CV-0815K and Civil Action No. 3:06-CV-1203-K are hereby dismissed with prejudice. Each party shall bear its own fees and costs.

In performance of obligations of the settlement agreement between the parties, Patriot Scientific Corporation is sharing with counsel for the Russell Fish and the Fish Family Trust various documents on an "attorneys' eyes only" basis that have been governed by the Protective Order in place in this action. The parties further stipulate that, notwithstanding the dismissal of this action, any future sharing of such documents by Patriot Scientific designated "Confidential" or "Attorneys' Eyes Only" in performance of the terms of the settlement agreement in this matter, will continue to be governed by the Protective Order and the Court is requested to remain available to enforce the Protective Order until the Settlement terms have been fulfilled.

Respectfully submitted,

/s/ Jerry R. Selinger  
Jerry R. Selinger  
State Bar No. 18008250  
Susan E. Powley  
State Bar No. 00784785  
MORGAN, LEWIS & BOCKIUS LLP  
1717 Main St., Suite 3200  
Dallas, TX 75201  
Telephone: (214) 466-4100  
Facsimile: (214) 466-4001  
[jselinger@morganlewis.com](mailto:jselinger@morganlewis.com)  
[spowley@morganlewis.com](mailto:spowley@morganlewis.com)  
ATTORNEYS FOR PLAINTIFFS

/s/ Charles T. Hoge (by permission)  
Steven R. Baggett  
State Bar No. 01510680  
THOMPSON & KNIGHT LLP  
1700 Pacific Avenue, Suite 3300  
Dallas, Texas 75201-4693  
Tel.: (214) 969-1700  
Fax: (214) 969-1751

Charles T. Hoge, *pro hac vice*  
Matthew P. Nugent  
KIRBY NOONAN LANCE & HOGE LLP  
600 West Broadway. Suite 1100  
San Diego, California 92101-3387  
Tel.: (619) 231-8666  
Fax: (619) 231-9593  
ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on May 1, 2007, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The following attorneys of record have consented in writing to accept notice as service of this document by electronic means and are being served by a "Notice of Electronic Filing" sent by the electronic case filing ("ECF") system.

Steven R. Baggett  
THOMPSON & KNIGHT LLP  
1700 Pacific Avenue, Suite 3300  
Dallas, Texas 75201-4693

Charles T. Hoge  
Matthew P. Nugent  
KIRBY NOONAN LANCE & HOGE LLP  
600 West Broadway. Suite 1100  
San Diego, California 92101-3387

/s/ Jerry R.Selinger